

OCT 21 2009

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

JUAN CARLOS MARTINEZ-MANUEL,

Defendant - Appellant.

No. 07-10616

D.C. No. CR-07-00830-SRB

MEMORANDUM<sup>\*</sup>

Appeal from the United States District Court  
for the District of Arizona  
Susan R. Bolton, District Judge, Presiding

Submitted October 13, 2009<sup>\*\*</sup>

Before: B. FLETCHER, LEAVY, and RYMER, Circuit Judges.

Juan Carlos Martinez-Manuel appeals from his guilty-plea conviction and 57-month sentence for illegal reentry after deportation, in violation of 8 U.S.C. § 1326(a).

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<sup>\*</sup> This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Pursuant to *Anders v. California*, 386 U.S. 738 (1967), Martinez-Manuel's counsel has filed a brief stating there are no grounds for relief, along with a motion to withdraw as counsel of record. We have provided the appellant with the opportunity to file a pro se supplemental brief, and no pro se brief has been filed. The government has filed a letter indicating that it does not intend to file an answering brief.

Our independent review of the record pursuant to *Penson v. Ohio*, 488 U.S. 75, 80-81 (1988), discloses no arguable grounds for relief on direct appeal.

Accordingly, counsel's motion to withdraw is **GRANTED**, and the district court's judgment is **AFFIRMED**.